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Merton Council

Cabinet Agenda

Membership

Councillors:

Stephen Alambritis (Chair)
Mark Allison
Laxmi Attawar
Tobin Byers
Caroline Cooper-Marbiah
Edith Macauley MBE
Eleanor Stringer
Martin Whelton

Date: Tuesday 28 April 2020

Time: 6.30 pm

Venue: This meeting will be a virtual meeting and therefore will not take place in a physical location, in accordance with s78 of the Coronavirus Act 2020.

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Cabinet Agenda

28 April 2020

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| 5 | Changes to Cabinet portfolios | 19 - 24 |

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Managing Director, South London Legal Partnership.

Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

CABINET

23 MARCH 2020

(7.15 pm - 8.01 pm)

PRESENT: Councillors Mark Allison (in the Chair), Tobin Byers and Eleanor Stringer

ALSO PRESENT: Councillor Peter Southgate

Ged Curran (Chief Executive) and Chris Lee (Director of Environment and Regeneration)
Louise Fleming (Senior Democratic Services Officer)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

The Deputy Leader of the Council and Cabinet Member for Finance advised that the Leader of the Council was self-isolating in light of current Government guidance in respect of Covid-19. To respect the Government's guidance on social distancing, it had been agreed to keep the attendance of Cabinet to a minimum. Therefore in addition to the Leader of the Council, apologies had been received from Councillors Laxmi Attawar, Kelly Braund, Caroline Cooper-Marbiah, Edith Macauley, Martin Whelton.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 24 February 2020 are agreed as an accurate record.

The Chair altered the order of business, taking item 13 first to allow the Chief Executive to present the item before leaving the meeting. For ease of reference, items are listed below as they appear in the agenda.

4 REFERENCE FROM THE SUSTAINABLE COMMUNITIES SCRUTINY PANEL: EMISSION BASED CHARGING AND REVIEW OF THE DIESEL LEVY (Agenda Item 4)

The Chair advised that items 4 and 5 would be discussed together.

The Cabinet Member for Adult Social Care, Health and the Environment thanked the Sustainable Communities Scrutiny Panel for a useful discussion on the issues. He also thanked the officers involved and the Cabinet Member for Regeneration, Housing and Transport for their work on the review and comprehensive paper. He advised that due to the increase in CPZs in the Borough since the implementation of the diesel levy, it was difficult to see the impact of the levy although there had been

some evidence that those who had traded in their diesel permits had done so as a result of the implementation of the levy.

The report also proposed a comprehensive structure for an emissions based approach to charging, incorporating the Government's vehicle excise duty bandings to create the base rate and the Mayor of London's Ultra Low Emission Zone (ULEZ) model to replace the current diesel levy; due to them tackling different pollutants, CO and NOx emissions respectively. Adopting the ULEZ would also address the concerns of residents over the disparity between the diesel levy and the ULEZ. The PTAL structure would be retained as it was complimentary and addressed the policy objective of shifting behaviour towards more sustainable travel. It was proposed to carry out a formal public consultation on the proposed approach.

The Chair advised that the rest of the Cabinet had been consulted in advance and had been impressed with the thorough report and were in support of the recommendations. He thanked the Scrutiny Panel Members and officers for their work, and welcomed the reduction in diesel cars in the borough as a result of the levy.

RESOLVED:

That reference of the Sustainable Communities Overview and Scrutiny Panel set out in paragraphs 2.14 to 2.17 of the Cabinet report be taken into account when below when making decisions on the Diesel Levy and Emission Based Charging proposals.

5 CONSIDERATIONS OF EMISSION BASED CHARGING AND THE FUTURE OF THE DIESEL LEVY. (Agenda Item 5)

Items 4 and 5 were discussed together and the discussion is recorded under item 4 above.

RESOLVED:

1. That the findings of the Diesel Levy and Emissions based charging review and comment on the emerging emissions based charging proposals be noted.
2. That officers be authorised to proceed to consultation on the recommended approach and proposed model and charges for future emission based charging including the ULEZ type supplement.
3. That the formal consultation process set out in section 12 of the report be agreed and to have due regard to any comments raised as part of the formal consultation process in taking a final decision on whether to proceed with the implementation of any changes.
4. That authority be delegated to the Director of Environment and Regeneration, in consultation with the Cabinet Member for Regeneration Housing and Transport, to finalise the necessary consultation documentation as required.
5. That this report be referred to the Sustainable Communities Overview and Scrutiny Committee after consultation for consideration and to seek its views before Cabinet makes a final decision.

6 DRAFT RESPONSE TO IMPROVING HEALTHCARE TOGETHER
CONSULTATION (Agenda Item 6)

The Cabinet Member for Adult Social Care, Health and the Environment presented the report, noting the Council's thanks to all those working in the NHS during the current Coronavirus crisis. He advised that the Improving Healthcare Together consultation, which was looking at a reconfiguration of the services provided at the Epsom and St Helier Trust, was due to conclude on 1 April. The Council's response would not be ready until just before the deadline and therefore the report set out the key lines of enquiry and asked the Cabinet to note those and that the response would be finalised by the Director after consultation with the Cabinet Member.

The report outlined the engagement which had taken place over the last three years and the work which was ongoing with health consultants over the social deprivation in the wards surrounding the St Helier hospital and the impact on those residents of reconfiguring the services. It was noted that the Council had a longstanding position of supporting the retention of the current suite of services at St Helier hospital and the report set out the previous motions which had been debated and agreed by the Council over the last three years in this matter. In addition to a response being submitted by the Executive, a report would also be considered by Scrutiny and the Cabinet Member would be working closely with the Chair of the Healthier Communities and Older People Scrutiny Panel, who was one of Merton's representatives on the SW London joint scrutiny committee to ensure that the Council's response was discussed.

The Chair reiterated the Council's support for the NHS workers in the current Coronavirus crisis and also the longstanding position of the Council which was concerned over the impact of the proposed reconfiguration on deprived communities.

RESOLVED:

1. That it be noted that the formal public consultation on plans to centralise major acute services within Epsom and St Helier's NHS Trust is open until 1 April 2020.
2. That the key lines of enquiry that the Council will propose in its response as described in paragraph 2.16 of the Cabinet report be noted.
3. That it be noted that the Director of Communities and Housing in consultation with the Cabinet Member for Adult Social Care, Health and the Environment, will finalise and submit the Council's response to the Improving Healthcare Together 2020 – 2030 consultation.

7 DRAFT MERTON COMMUNITY PLAN 2020-2026 (Agenda Item 7)

The Chair thanked all those involved in drafting the new Community Plan for 2020-2026, which had been a collaborative exercise of the Merton Partnership in drawing out the priorities of the Partnership. The formulation of the plan had been led by Police Chief Superintendent Sally Benatar with the support of the Director of Children, Schools and Families. The overarching goal was to increase social capital

in Merton to improve resilience and wellbeing, with a focus on those parts of the Borough with the lowest socio-economic outcomes.

The Cabinet welcomed the report and the work being undertaken and the Chair thanked the lead Cabinet Member for Women and Equalities for her work on the Plan.

RESOLVED:

1. That the draft Merton Community Plan 2020-2026 at Appendix 1 to the Cabinet report be endorsed; and
2. That the draft Community Plan be submitted to Full Council in April* 2020 for adoption as one of the council's core strategic plans.

*Due to the cancellation of the Council meeting on 1 April 2020, the draft Community Plan will be reported to the next scheduled Council meeting on 8 July 2020 for adoption.

8 RAYNES PARK SPORTS GROUND (Agenda Item 8)

The Chair advised that items 8 and 9 would be discussed together.

The Cabinet noted that additional representations had been received from Councillors in the West Barnes ward and the Friends of Sir Joseph Hood. Those representations had been taken into consideration in discussion with fellow Cabinet Member and it was felt that the issues raised had been addressed in the course of the consultation and in both the reports. It was noted that planning permission for both items had already been granted; and that mobile phone companies have extraordinary powers under the Electronic Communications Code to place masts in areas of need on public land, irrespective of the views of the local residents. It was also noted that the demand for phone signal was likely to increase with the current increase in home working. The Council has worked through the planning process to ensure that the masts were not put in places which interfered with people's enjoyment of open spaces. The current advice from Public Health England was that there was no evidence of harm from these masts.

At the invitation of the Chair, the Director of Environment and Regeneration concurred with the points made by the Chair and advised that the Council had followed the standard procedure for advertising the consultation on the lease and that although both sites were affected by a covenant the Council did not believe any residents enjoyed any benefits from the covenants. However the Council was working with the operator to secure an indemnity in the event of any challenge and therefore did not see any impediment with approving the recommendations set out in the papers

RESOLVED:

1. That the objections raised in response to the Council's advertisement under section 123 (2A) of the Local Government Act 1972 of its intention to grant a lease at Raynes Park Sports Ground be considered and noted.
2. That the Director of Environment and Regeneration be authorised to complete the lease on the main terms identified within the Confidential Appendix 4 to the Cabinet report under his delegated authority.

9 SIR JOSEPH HOOD MEMORIAL PLAYING FIELD (Agenda Item 9)

Items 8 and 9 were discussed together and the discussion is recorded under item 8 above.

RESOLVED:

1. That the objections raised in response to the Council's advertisement under section 123 (2A) of the Local Government Act 1972 of its intention to grant a lease at Sir Joseph Hood Memorial Playing Field be considered and noted.
2. That the Director of Environment and Regeneration be authorised to complete the lease on the main terms identified within the confidential appendix to the Cabinet report under his delegated authority.

10 EXTENSION OF SCHOOL CLEANING CONTRACT (Agenda Item 10)

The Cabinet Member for Schools and Adult Education presented the report which proposed the extension of the current school cleaning contract and thanked them for their response to the additional cleaning required by the current Coronavirus crisis.

The Chair thanked the Director of Children, Schools and Families and the officers involved.

RESOLVED:

That the council extend its existing contract with Julius Rutherford & Co Limited for provision of the school cleaning service at Merton primary, secondary and special schools and other education buildings up to 31 March 2022.

11 LGA CORPORATE PEER CHALLENGE FEEDBACK REPORT AND NEXT STEPS (Agenda Item 11)

The Chair presented the report which set out the feedback from the LGA Corporate Peer Challenge. He thanked all those involved in the review which had been useful for identifying areas for improvement. The Cabinet noted the areas where the Council had performed well, including that the Council was well run with strong leadership and welcomed the recommendations for ways in which the Council could improve, which included developing a strong narrative for Merton which described the Council's ambition for Merton's people and place.

RESOLVED:

1. That the findings and recommendations from the LGA Corporate Peer Challenge as set out at Appendix 1 to the Cabinet report be noted.
2. That the approach to implementing the recommendations as set out in section 4 to the Cabinet report be approved.

12 FINANCIAL MONITORING JANUARY 2019 (Agenda Item 12)

The Chair presented the report, which set out the Council's financial position at month 10 and thanked all those involved in the production of the report.

RESOLVED:

1. That the financial reporting data for month 10, January 2020, relating to revenue budgetary control, showing a forecast net favourable variance at year-end of £2,613k, -0.5% of gross budget be noted.
2. That the contents of Section 4 and the amendments to the Capital Programme contained in Appendix 5b of the Cabinet report be noted.
3. That the release of £105k from the For Use in Future Years Budget Reserve be approved. As part of ceasing discretionary NNDR allowances to faith schools in 2019/20, Merton agreed to reduce the cost pressure on the DSG for one year.
4. That the release of £166k that was set aside in the SEN Reform Grant Allocation reserve to fund the school improvements adviser, EHCP co-coordinator and quality assurance expenditure be approved.

13 INTERIM DECISION MAKING ARRANGEMENTS (Agenda Item 13)

The Chair altered the order of business to take this item first to allow the Chief Executive to be present for the discussion before he left the meeting.

The Chair introduced the item, explaining that its purpose was to ensure the effective running of the Council during the Coronavirus period. However he wanted to reassure residents and Members of the Council that despite public meetings being cancelled, any decisions taken during this period would continue to be taken with the involvement of Members and that the work of the Council would increase over the coming months.

The Chief Executive reiterated that although decision making would be delegated in some cases to officers, those decisions would be taken with the full involvement of Members, taking into account their views before any technical decisions are taken. Since the publication of the report, the Government had declared an intention to amend the Covid-19 Bill to allow for virtual Council meetings to take place and at the point that this became law, the Council would take action as appropriate.

The Chief Executive advised that the Council was responding to the challenges and had implemented emergency planning procedures and was participating in a regional pan-London; sub-regional and borough wide strategic response which was operating effectively and the Council's services were continuing to operate. Where possible staff were working from home which meant that social care could be preserved and the Council could respond to the new challenges which arose. The Government had

announced a “shielding” initiative to protect those most vulnerable residents who were required to stay at home for three months by delivering food, medicine and support. The Council had a system in place and this would be in operation by end of the week. It was acknowledged that there would be challenges to come, but as far as possible the Council was planning for those and building resilience into its systems.

At the invitation of the Chair, the Cabinet Member for Adult Social Care, Health and the Environment reiterated his thanks to all the staff in the Community and Housing team and in the voluntary sector who had mobilised quickly to put support networks in place; and residents who had offered their help in mutual aid networks. He outlined the measures taken in adult social care and echoed the Chief Executive’s comments on the work on the hub model to shield and support vulnerable residents.

At the invitation of the Chair, the Cabinet Member for Schools and Adult Education expressed her thanks to officers and school teachers over the past days and to parents and families for their understanding. She thanked fellow councillors and the volunteers in the community. She outlined measures being taken in respect of schooling for the small number of children of key workers and the shift in youth provision from face to face to online.

The Chair echoed the comments made and was proud and humbled by the extraordinary effort in a small amount of time by people living and working in Merton. He urged people to heed the Public Health advice and advised that financial assistance provided by the government would be passed on to ensure that people in hardship receive the appropriate support.

The Cabinet asked that it be placed on record their thanks to Dr Dagmar Zeuner, Director of Public Health, and her team for their efforts working across departments in the Council.

RESOLVED:

1. That the arrangements for the good governance of the Council during the Covid-19 crisis, namely that officers will exercise their delegated authority to take decisions in accordance with the Council’s constitution be noted and endorsed.
2. That it be noted that when officers are taking delegated decisions they will consult appropriately with members, key decisions will be subject to the usual notice requirements and both key and non-key executive decisions will be published on the Council’s website in order to ensure transparency.

14 EXCLUSION OF THE PUBLIC (Agenda Item 14)

Cabinet noted the information contained in the exempt appendices without referring to it as part of the discussion and therefore the meeting remained in public.

15 RAYNES PARK SPORTS GROUND - EXEMPT APPENDIX (Agenda Item 15)

Cabinet noted the information contained in the exempt appendix and the decision can be found at item 8 above.

16 SIR JOSEPH HOOD MEMORIAL PLAYING FIELD - EXEMPT APPENDICES
(Agenda Item 16)

Cabinet noted the information contained in the exempt appendix and the decision can be found at item 9 above.

Committee: Cabinet

Date: 28 April 2020

Wards: All

Subject: the Council's response to the Covid-19 Pandemic

Lead officer: Ged Curran, Chief Executive

Lead member: Councillor Stephen Alambritis, Leader of the Council

Contact officer: Louise Round, Managing Director, South London Legal Partnership

Recommendations:

- A. That Cabinet notes the steps taken by the Council in response to the Covid-19 Pandemic
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report sets out the steps the Council has taken in response to the crisis caused by the Covid-19 pandemic, working closely with partners, in order to mitigate the impact of the coronavirus on residents and businesses in Merton.

2 EMERGENCY PLANNING ARRANGEMENTS

- 2.1. The first confirmed cases of the coronavirus in the UK were at the end of January and all public services began planning to mitigate the impact on residents and businesses although it was not until some weeks later that the potential scale of the pandemic in this country began to be appreciated. As part of the London wide resilience forum, the Council has well-rehearsed emergency planning arrangements and these were formally initiated on 17 March.
- 2.2. Under these arrangements, a bronze, silver, gold reporting structure is established internally. The bronze activity refers to the operational activity being carried out by departments to meet the changing and increasing demands on the service. The silver role carries out the co-ordinating and tactical activity, particularly where there is a need for cross departmental support or a common approach to a particular problem. Gold takes a strategic approach both within the Council and as part of the Pan-London network.
- 2.3. The Council submits situation reports (known as sitreps) to the London coordinating body on a daily basis. These reports set out the current position against a range of critical services. Such services are ranked on a scale of 1 to 4, where 1 is a normal service and 4 represents a situation where service can no longer be safely provided (requiring mutual support). The vast majority of Merton's services are scoring 1s and 2s, 2s being a slightly

reduced service. In terms of staffing capacity, this has remained consistently above 80% in most service areas, with the exception of Children's Schools and Families where capacity is between 60 and 80% -at the upper end of that range.

- 2.4. A redeployment process has been established enabling staff whose workload has diminished as a result of the pandemic to help out in other areas either within their departments or elsewhere in the Council. This is working well so the only area where there is still a need for staff is for volunteer care workers. The need for more highly skilled workers will be met by external recruitment but staff are also being asked whether they would be willing to undergo training to take on some of the more routine tasks.
- 2.5. In order to make strategic planning manageable and coherent, London has been broken into sub regions, with Merton forming part of the South West London Region comprising Merton, Sutton, Wandsworth, Richmond and Kingston. Merton's Chief Executive is lead (Gold) chief executive for this sub-region. As is to be expected, key professional networks, such as the Associations of Directors of Social Services, Children's Services and Public Health are also working together in their respective areas and Merton's corporate management team members are playing key roles here.

3 SUPPORT FOR RESIDENTS

- 3.1. One of the first actions taken by the Council was to work with the Merton Voluntary Services Council to set up a response hub, known as the Merton Covid-19 Community Resource Hub; the Hub takes inward bound calls directly from residents, or via other voluntary sector organisations, requesting support with things such as shopping, dog walking and isolation. It is staffed by a combination of council staff redeployed from elsewhere in the Council, mainly from libraries. At the time of writing 986 individual contacts had been made with the Hub. The Hub is running in conjunction with Merton Mutual Aid, a network of local volunteers providing practical support in their respective neighbourhoods.
- 3.2. As Members will be aware, the Government has established a shielding process whereby the NHS has identified a cohort of very vulnerable people on the basis of pre-existing medical conditions and has advised them that they should remain at home for 12 weeks. Councils have been given the responsibility of contacting residents in their areas who fall within this group in order to ascertain whether they require any assistance. The Government's intention is to establish direct food deliveries to these residents but that system has is not yet fully functioning and local authorities have been expected to carry out this activity in the meantime.
- 3.3. Merton has been given the names of 2877 people living in the borough and has set up a shielding hub in order to contact all the people on the list and

provide them with assistance if required. The vast majority of these residents have been contacted but only around 38% have required support as they had already made their own arrangements. It has not been possible to contact all the people on the list as in some cases they have moved, or died or are not responding to calls. Home visits are being made where appropriate and the position being kept under review. The Council has also established arrangements with community pharmacists to ensure that people can have their prescription medicines delivered to their homes.

4 PERSONAL PROTECTIVE EQUIPMENT (PPE) AND ANTIGEN TESTING

- 4.1. As has been widely reported in the media, there has been a national problem in securing adequate stocks of PPE for staff working in settings where this is required. A prioritisation list for council staff has been drawn up based on the most recent advice from Public Health England and so far it has been possible to source enough equipment to meet the high priority areas. This work is being coordinated by staff in the Communities and Housing Department, supported by the Commercial Services Team, on behalf of the whole council. Mutual aid arrangements are in place with neighbouring boroughs and a strategic reserve has been coordinated through the London gold arrangements. At the time of writing officers have made use of this strategic reserve on two occasions to ensure adequate supply for the Council and to meet the urgent needs of approximately seventy social care providers across the borough. Daily reports are submitted on availability of stock. The most pressing need locally is for face masks where at one point, there was only enough stock to meet current demand for 3 days, although the position has now improved somewhat.
- 4.2. Officers have been exploring a variety of routes to maximise supply; as well as using the sources referred to above, direct contact is being made with suppliers and orders have been placed but these are subject to availability. There is a risk that with a move to relax any restrictions on movement, the demand for facemasks will significantly increase, both among Council employees and the general public. At present, it is hard to see how this demand will be met.
- 4.3. Very recently, the ability for tests to be carried out on staff showing symptoms of the virus has been introduced by the Government and for the South West London sub-region, this is being run by Deloittes at the temporary swab testing facility set up at Chessington World of Adventures. Criteria have been agreed for priority referral for testing and it is anticipated that over the coming weeks the numbers being tested will increase. This should enable workers who fear they may be infected but then prove negative to come back to work. The testing offer has also been made available to social care providers across the borough to support them in their continuing efforts to maintain staffing at adequate levels.

5 STAFF WELFARE

- 5.1. An early decision was made to ask all staff who can work from home to do so and because of the progress which had been made on the smart working programme, a significant number of employees were able to take advantage of this immediately. The IT team worked hard and at pace to provide other staff with technology required to allow remote working and by the end of March, nearly all employees whose role permitted them to work off site were based at home. This has meant that they were able to stay safe and sickness levels have remained relatively low. A significant number of staff have needed to self-isolate but a good many of those people have been able to continue working during that period.
- 5.2. During this period, the frequency of whole staff communication has been increased, with almost daily bulletins and a weekly message from the Chief Executive. Managers have been encouraged to keep in regular contact with their teams through a variety of media, including skype meetings. Information about mental health and well-being has been posted on the intranet and staff are being signposted to other organisations for support during this period. Guidance for managers dealing with bereaved members of staff has been issued.

6 MORTALITY PLANNING

- 6.1 The arrangements for dealing with excess deaths in Merton are complex as the hospital mortuary service is run by St George's Hospital, responsibility for the crematoria lies with Wandsworth Council and Merton forms part of the Inner London West coronial area which also manages mortuary and storage facilities. The Council is directly responsible for the registration of deaths and runs the cemeteries through a contract with Id Verde.
- 6.2 A council mortality planning group has been established to coordinate all the strands of work and is liaising closely with colleagues elsewhere, including local funeral directors, to ensure that there is a joined up response and that an appropriate service can be given to the bereaved. Currently it appears that there is sufficient local mortuary, burial and cremation provision available. At national level a system of pandemic multi agency response teams (PMART) has been set up to deal with deaths in the community.

7 SOCIAL DISTANCING

- 7.1. Fortunately it has been possible to keep the Borough's parks and open spaces open which allows people to take exercise and get some fresh air. In order to ensure that this can continue safely, the Council has engaged Kingdom to support the Police enforcement response in our parks should

people fail to follow social distancing guidance. They report, as do the police, that overall compliance with the guidance has been very good. Over the Easter weekend, a decision was taken to decommission parking spaces in parks and near Wimbledon Common in order to discourage people from driving to them. Consideration is currently being given to the position in relation to blue badge holders and it is hoped that some parks' car parks will reopen.

7.2. Children Schools and Families have increased the capacity of the youth outreach team to enable them to make contact with young people who may be out in the public realm and to encourage them to go home and stay safe but there has minimal demand for this service in practice.

7.3. The Regulatory Shared Partnership have put in place procedures to deal with breaches of the regulations on trading and have been using their enforcement teams to monitor compliance. Most of the complaints received have been about construction sites but responsibility for those rests with the Health and Safety Executive so have been referred there.

8 SCHOOLS

8.1. The Council has worked closely with Merton schools to ensure that vulnerable children and the children of key workers can continue to be provided for. As at 15 April there were 290 children in Merton schools although it is anticipated this number may increase once the formal Easter holiday period comes to an end. Children, Schools and Families are working hard to ensure that vulnerable children who are not attending schools are being safeguarded. After referrals to children's social care dropped significantly when children became less visible to the public behind closed doors, the referrals to the MASH (multi-agency safeguarding hub) are returning to previous levels.

9 GOVERNANCE

9.1. The impact of the regulations restricting gatherings of more than two people other than in specified limited circumstances had meant that it was not possible to hold formal council meetings once lock down had been announced. The Council's Scheme of Delegation has allowed all relevant decisions to be taken by officers in these exceptional circumstances. With effect from 4th April, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations ("the Meetings Regulations") have removed the requirement for meetings to happen in one fixed place, and will allow members formally to participate so long as they can hear and be heard by each other and by members of the public who would in the normal course of events be entitled to attend the meeting. Ideally, participants should also be able to be seen although this is not a statutory requirement.

- 9.2. Arrangements have therefore been made to use the conferencing software Zoom to allow meetings to take place virtually. For reasons of information security, only participants in the meeting will be invited to join the meeting via Zoom but the public will be able to observe the meetings as they will be live streamed on the Council's YouTube channel.
- 9.3. At the time of writing guides are being developed to assist participants to use the new technology and to set down some basic rules of etiquette for remote meetings, as well as some rules governing issues such as the declaration of pecuniary interests which, as members will be aware, require the member declaring to leave the meeting.

10 TIMETABLE

- 10.1. This meeting of the Cabinet is the first such virtual meeting and it will be followed by a Licensing Sub- Committee and at least one meeting of the Planning Application Committee in May. It is anticipated that thereafter there will be a light timetable leading into the summer when the position will be reassessed. The Meetings Regulations allow remote participation in meetings until 7 May 2021 so as the law currently stands, if the movement restrictions are lifted, it would be possible to resume physical meetings but still have a facility to dial in remotely for those members who are shielded or self-isolating.
- 10.2. Details of the proposed schedule of meeting will be agreed in consultation with the leaders of the political groups shortly.
- 10.3. It should also be possible to include brief scrutiny meetings in that schedule for the purpose of agreeing work programmes but it is recommended that the topic workshops be cancelled with the work programming approach and priorities agreed with the Chairs & Vice-Chairs.

Annual Council

- 10.4. Among other things, the Meetings Regulations remove the statutory requirement for an annual council meeting and provide that any appointments which would normally fall to be made at the annual meeting, will continue until the next annual meeting of the authority or until such time as the Council may determine.

Accordingly, it has been agreed that the annual council meeting scheduled for 20 May be postponed until a date to be agreed in the Autumn when it will be possible to have a physical meeting which gives due regard to the nature of the Mayor making ceremony. In those circumstances, the current Mayor, Councillor Janice Howard and her deputy, Councillor Edward Foley, will remain in post until their successors are appointed, as will the current members of the committees.

11 FINANCIAL IMPLICATIONS

- 11.1. The Government has allocated a range of funds to Councils to enable them to support their local residents and business community. A summary of the funding received to date together with progress in allocating these funds is shown in the table below:

Support	National Allocation	LBM Allocation/Cost	LBM Funds Allocated as at 16/4/20	Comments
	£bn's	£m's	£m's	
Support for LA's	1.600	4.965	Fully Allocated	Current estimate of Covid-19 costs plus lost income in excess of £25m.*
S31 Business rates relief	1.800	3.471		61% paid
Council Tax Hardship Fund **	0.500	1.480	None	Application of up to £200 per beneficiary estimated at over £1m. Adjustments due w/c 4 May. Review by 4 June 20.
Business support grant ***		29.318	18.845	74% paid – we have identified £25.5 million due to be paid.
Business rates holiday		N/K	Fully Allocated	

- * The Council is experiencing extra service pressures, particularly in adult social care. It is also experiencing significant losses in income, particularly in areas like car parking and leisure. We have recently provided our current best estimates of extra costs and lost income to MHCLG and will continue to press for additional support to enable the Council to provide adequate support to our residents and business community. It should be recognised that we are still working on these

figures as new issues emerge and the length of the lock down becomes clearer so that this represents our best guess at the time.

** Subject to MHCLG conditions impacting on our use of the CIVICA software we use to process Council Tax.

*** Please note that the allocation of funds is increasing daily. An update on progress will be provided to the Cabinet on the night.

11.2 In endeavouring to support residents and local businesses who are suffering from the impact of Covid-19 the Council has adopted a range of measures to support the local community and businesses. These include:

11.2.1 A commitment to ensure that in most cases essential service providers will continue to receive payment for services provided despite the challenges faced in delivery.

11.2.2 Cash flow support for essential service providers by the early payment of invoices (currently within 36 hours of receipt)

11.2.3 Changing from payment in arrears to payment in advance e.g. payment of one month's supply of goods/service in advance/arrears to up a maximum of three months in advance.

11.2.4 Deferring the Council's first quarter's commercial rents and advancing the first quarter's income to the three Merton BIDs.

11.2.5 Deferring council tax instalments for residents most in need

11.2.6 Continuing the temporary suspension of Dunning and bailiff activity.

11.2.7 Suspending Leisure membership payments.

12 LEGAL AND STATUTORY IMPLICATIONS

12.1. The legal implications relating to this report are considered in the body of the report.

13 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

13.1. The work being done with the voluntary sector to provide a coherent response to the current crisis and the strong sense of community which already exists in Merton has meant that there have been no reported community tensions. Work is ongoing with faith groups locally and nationally and attention is being paid to the need to have regard to cultural practices in funeral arrangements wherever possible while complying with the advice on infection control.

- 13.2. Officers are aware that introducing remote meetings could in theory mean that those people without access to information technology or who have difficulty in understanding a webcast are less able to access those meetings than others. In drawing up the guides referred to above, measures to mitigate the impact of the arrangements on people with communication difficulties will be included where possible, whilst noting that it would not currently be lawful to allow members of the public to attend physical meetings.

14 CRIME AND DISORDER IMPLICATIONS

- 14.1. As always, the Council is working closely with its partners in the Metropolitan Police Force to ensure that there is a joined up response to crime and community safety issues. They report that crime levels have dropped and although other parts of the country have reported steep rises in levels of domestic abuse, Merton, in common with most of the rest of London, has not. There is concern that this might mean there is significant under reporting and work is ongoing to ensure that victims are able to safely report abuse and that appropriate response is in place when they do.

15 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 15.1. As stated in the report, the Council has been able to respond positively to the coronavirus crisis and core and critical services are proving to be resilient. The biggest concern at present is in relation to the provision of PPE and this is being kept under close review locally and at regional and national level.

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Committee: Cabinet

Date: 28 April 2020

Wards: All

Subject: Changes to Cabinet portfolios

Lead officer: Louise Round, Managing Director South London Legal Partnership

Contact Officer: Louise Fleming, Senior Democratic Services Officer
democratic.services@merton.gov.uk

Recommendations:

That the Cabinet:

- A. notes the changes to the appointments to the Cabinet including their respective portfolios (Appendix A); and
 - B. notes that the Cabinet appointments will be reported to the next available Council meeting for noting and to recommend that the Council's Constitution is updated accordingly.
- 1. Purpose of report and executive summary**
 - 1.1 This report sets out changes to the Cabinet appointments and portfolios, made by the Leader of the Council in accordance with Article 7 of the Council's Constitution.
 - 2. Alternative options**
 - 2.1 None for the purposes of this report
 - 3. Consultation undertaken or proposed**
 - 3.1 None for the purposes of this report.

Timetable

- 3.2 The changes made to the Cabinet portfolios set out in Appendix A are for the remainder of the 2019/20 municipal year and take immediate effect.
- 4. Legal and statutory implications**
 - 4.1 The Local Government Act 2000 makes provisions with respect to the function and procedures of local authorities. Merton's Constitution has been produced having regard to the provisions of the Act, Statutory Instruments and guidance from Central Government. The proposals within this report comply with the statutory requirements.

- 5. Appendices – the following documents are to be published with this report and form part of the report**
- 5.1 Appendix A – Executive Leader’s appointments to the Cabinet and their respective portfolios

CABINET PORTFOLIOS

EFFECTIVE FROM 28 APRIL 2020

Leader of the Council Councillor Stephen Alambritis

Deputy Leader and Cabinet Member for Finance Councillor Mark Allison

- Leading on the budget, including the development of revenue, capital and debt management strategies
- Responsible for corporate finance, IT and audit, human resources, civic and legal services, and risk management
- Lead on asset management, driving improvements in council performance and leading performance review meetings
- Leading on the change management agenda with responsibility for driving through value for money and efficiency within the council and cutting out waste and bureaucracy
- Overseeing the Council Commissioning strategy with regard to waste and street cleansing and optimising the financial and strategic benefits
- Ensuring contracts uphold best possible outcomes in effective management of waste and street cleansing
- Monitoring progress of council wide strategic approach to customer services and community support and access.
- Responsible for effective communication with residents
- Monitoring the implications of Brexit on Merton Council, working alongside the Cabinet Member for Women and Equalities

Cabinet Member for Women and Equalities Councillor Laxmi Attawar

- Ensuring all equalities strands (sex, race, disability, sexual orientation, gender reassignment, pregnancy/maternity, religion/belief, age, marriage and civil partnerships) are embedded throughout council performance and the impact on these groups of austerity is minimised
- Overall responsibility for council policy on gender equality
- Oversight of the Council's Equality Strategy – development and implementation
- Assessing the needs of the borough's EU citizens as the UK exits the EU
- Assessing and improving equality of access to council services and customer services
- Overseeing Equality Assessments (EAs)
- Overseeing community engagement, including Community Plan, increased participation in local decision making and increasing social capital
- Joint responsibility for Merton's Violence Against Women and Girls (VAWG) strategy
- Support and development of the LGBT+ forum

- Support and development of the Faith and Belief Forum

Cabinet Member for Adult Social Care, Health and the Environment

Councillor Tobin Byers

- Community care services including relations with local Primary Care Trust, Clinical Commissioning Group (CCG) and health organisations and protecting local hospital services.
- Social services for adults, services for adults with learning disabilities and mental health services.
- Older people's services including support for carers, day care for the elderly and meals on wheels, working alongside the National Health Service.
- Increasing recycling rates and overseeing the council's waste strategy and street cleaning services
- Lead member for Air Quality with joint responsibility for sustainable transport
- Joint responsibility for sustainable transport
- Leading on personalisation and choice issues.
- Public Health and Health and Wellbeing Board.
- Healthy living schemes.

Cabinet Member for Commerce, Leisure and Culture

Councillor Caroline Cooper-Marbiah

- Leading on libraries including maximising use of library buildings
- Overseeing leisure operations and development
- Liaising with businesses and cultural organisations to embed culture in regeneration plans
- Business opportunities in heritage and tourism
- Leading on trading standards and commercial environmental health
- Leading on parks and use of the borough's greenspaces
- Leading on greenspaces and encouraging sustainable activity by local community groups in allotments, parks and open spaces, including, where appropriate, the transfer of assets to community trusts
- Working with organisations in the borough's thriving arts and cultural communities

Cabinet Member for Voluntary Sector, Partnerships and Community Safety

Councillor Edith Macauley

- Overseeing the council's community partnerships, including specific focus on the voluntary sector
- Leading on the management of grants to community groups
- Looking at decisions of Grants Committee and chair of the Merton Compact Board.
- Chair of the Joint Consultative Committee with Ethnic Minorities
- Reducing the threat of crime and anti-social behaviour in Merton and working closely with Police and Community Safety partnerships
- Leading on a knife crime strategy for the borough

- Point of contact with Borough Command Unit and Deputy Mayor for Crime and Safety
- Overseeing CCTV operations, including fly-tipping detection and deterrence
- Joint responsibility for Merton's Violence Against Women and Girls (VAWG) strategy
- Oversight of the Council's Preventing Violent Extremism strategy
- Support and development of Merton's Armed Forces Community Covenant
- Overseeing voluntary sector organisations applying to become Refugee Community Sponsors

Cabinet Member for Children's Services and Education

Councillor Eleanor Stringer

- Responsible for the safety and care of children during the Coronavirus outbreak, both in and out of school
- Overall responsibility for tackling child poverty, and minimising the effects of austerity on children
- Covering the full statutory role as lead member for Children
- Overarching management of education, and on the planning, development and expansion of the schools estate
- Raising standards at each key stage in schools
- Championing fair access and leading on work bridging the gap in Merton's schools provision
- Development of the Children's Trust
- Leading on improvement in youth services. Responsible for youth justice, and engaging young people
- Corporate parenting and ensuring our looked after children succeed
- Strong safeguarding through Local Safeguarding Children's Board partnership.
- Joint responsibility for Merton's Violence Against Women and Girls (VAWG) strategy
- Responsibility for Smart Centre (PRU) and exclusions.
- Governor training and support
- Leading across the 14-19 agenda including skills, and improving the scope of the adult education service
- Improving transitions for those previously excluded from education into mainstream education, work and training

Cabinet Member for Regeneration, Housing and Transport

Councillor Martin Whelton

- Leading on regeneration and neighbourhood renewal initiatives.
- Responsible for housing strategy, developing relations with Housing Associations and promoting the needs of tenants and leaseholders. Ensuring delivery of promises by Clarion Housing.
- HMOs and landlord licencing
- Strategic infrastructure development in the borough, including boosting trade in town centres, supporting small businesses, markets and Business Improvement Districts

- Overseeing major projects in Wimbledon. Building a vision in conjunction with local residents for the future of our neighbourhoods.
- Transport planning including Crossrail 2, and liaison with Transport for London. Leading on traffic and highways, development and building control, spatial policy.
- Lead member for parking services and for developing the council's parking management strategy.
- Joint responsibility for sustainable transport